



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

DEC 2 2010

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Brian Santos
Environmental Health & Safety
Amerbelle Textiles, LLC
104 East Main Street
Vernon, CT 06066

**URGENT LEGAL MATTER
REQUIRES PROMPT RESPONSE**

Re: Clean Air Act Reporting Requirement and Testing Order

Dear Mr. Santos:

The United States Environmental Protection Agency (EPA) is evaluating whether the Amerbelle Textiles, LLC (Amerbelle) facility located at 104 East Main Street in Vernon, Connecticut is in compliance with applicable state and federal requirements under the Clean Air Act (the Act). Amerbelle owns and/or operates a fabric coating, dyeing and finishing facility which is subject to the State of Connecticut's federally-enforceable state implementation plan.

Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1), gives EPA the authority to require any person who owns or operates any emission source to establish and maintain records, make reports, sample emissions, and provide such other information as may reasonably be required to enable EPA to determine whether a facility is in compliance with the Act.

Reporting Requirement

Therefore, within 30 days of receiving this Reporting Requirement, Amerbelle must submit the following information to EPA:

1. Provide the following information about Amerbelle and the facility on Main Street in Vernon, CT:
 - a. Describe the ownership and business structure;
 - b. Indicate the date and state of incorporation;
 - c. List any partners or corporate officers;
 - d. List any parent and subsidiary corporations;
 - e. Provide the number of employees at the facility; and
 - f. Provide the net worth of the company.
2. Provide the following information on the thermal oxidizer:
 - a. Identify any bypass valves, emergency or otherwise, that could vent volatile

- organic compounds (VOC) and/or hazardous air pollutants (HAP) emissions to the atmosphere without passing through the thermal oxidizer;
- b. If a bypass is present, provide the quantity, in pounds per year, of VOC and HAP emissions that have been released through the bypass; and
 - c. Provide the daily minimum temperature set point of the thermal oxidizer from January 2005 to the present.
3. Provide any calculations or data, including any established emission factors on VOC and/or HAP emissions from the mixing room.
 4. For the period from October, 2007 to the present, provide the following information in electronic format (preferably in an electronic spreadsheet):
 - a. Total amount of inks, coatings, varnishes, adhesives, primers, solvents, thinners, reducers, etc. used (in gallons per month and gallons per year);
 - b. Total amount of VOC emitted (in pounds per year) from all inks, coatings, varnishes, adhesives, primers, solvents, thinners, reducers, etc. used; and
 - c. Total amount of HAP emitted (in pounds per year) from all inks, coatings, varnishes, adhesives, primers, solvents, thinners, reducers, etc. used.
 5. With respect to measures taken by Amerbelle in response to EPA's March 30, 2000 Administrative Order requiring a plan to reduce fugitive VOC emissions:
 - a. State whether the plastic covers that were installed over the coated web between the knife and the oven have been in place and in use at all times since installation. If not, provide the dates such plastic covers have not been in place and in use; and
 - b. State whether the plastic strip curtains on each side of the plastic cover have been in place and in use since installation. If not, provide the dates such plastic strip curtains have not been in place and in use.

Testing Order

This Testing Order requires Amerbelle to conduct a VOC and HAP emissions test of the vapor capture and destruction system. The emissions test shall be conducted, and the results reported, in accordance with the following procedure and schedule.

1. Within seven days of receipt of this Testing Order, Amerbelle shall contact EPA (Bill Osbahr at (617) 918-8389) to discuss the test protocol and the scheduling of a pre-test conference. The attached document "Requirements for Air Emissions Testing" provides guidelines for test protocols and test reports. In specific circumstances, EPA may require additional information.
2. Within 45 days of receipt of this Testing Order, Amerbelle shall submit to EPA and the Connecticut Department of Environmental Protection (CT DEP) a proposed test protocol for testing the VOC and HAP capture and destruction system under a representative operating scenario. This testing scenario will include operating the thermal oxidizer at the lowest temperature used since October 2007, as well as at 1400 degrees F. Based on a review of the information submitted in response to the above Reporting Requirement, EPA may revise the testing scenario. EPA may also choose to

require Amerbelle to conduct emissions testing of VOC and HAP emissions from the mixing room. If additional testing is required, EPA will provide written notice to Amerbelle.

3. Within 75 days of receipt of this Testing Order, Amerbelle shall revise and resubmit the test protocol in accordance with any written EPA comments or required changes. EPA shall approve, approve with conditions, or disapprove Amerbelle's test protocol in writing.
4. Within 110 days of receipt of this Testing Order, Amerbelle shall conduct a VOC and HAP emissions test on the vapor capture and destruction system, in accordance with the approved test protocol. No emissions test shall be conducted without an approved test protocol.
5. Within 30 days of completing the test, Amerbelle shall submit a test report to EPA and CT DEP. Included with the test report, Amerbelle shall also submit:
 - a. A description of any maintenance (or other repairs or changes) done on the vapor collection and processing system between the date of receipt of this letter and the EPA-observed emissions test date, including a description of the reason(s) for such maintenance; and
 - b. The data and results from any pre-test sampling and/or engineering studies Amerbelle elects to conduct on the vapor collection and processing system between the date of receipt of this letter and the EPA-observed emissions test date, and any memos or reports that summarize the results of the same.

Submissions required by this letter shall be mailed to all of the following:

Elizabeth A. Kudarauskas US EPA Region I 5 Post Office Square, Suite 100 Mail Code: OES-04-2 Boston, Massachusetts 02109-3912	William Osbahr US EPA Region I Mail Code EIA 11 Technology Drive North Chelmsford, MA 01863-2431	Robert Girard Connecticut Department of Environmental Protection 79 Elm Street Hartford, CT 06106
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Be aware that if Amerbelle does not provide all the information required under the Reporting Requirement in a timely manner, fails to timely submit a test protocol in accordance with EPA's requirements, fails to conduct the required emissions test in a timely manner, or fails to submit a timely and complete test report, EPA may order it to comply and may assess monetary penalties under Section 113 of the Act, 42 U.S.C. § 7413. Note that federal law also establishes criminal penalties for providing false information to EPA. This letter is not subject to Office of Management and Budget review pursuant to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

Amerbelle may, if desired, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 C.F.R. §2.203(b). Note that certain

categories of information are not properly the subject of such a claim. If no such claim accompanies the information when it is received by EPA, the information may be made available to the public by EPA without further notice to Amerbelle. Please be aware that the State of Connecticut may have different rules and regulations governing the protection of confidential business information.

If you have any questions regarding this Testing Order, please contact Environmental Engineer Elizabeth Kudarauskas, at (617) 918-1564, or have your attorney call Senior Enforcement Counsel Thomas Olivier at (617) 918-1737.

Sincerely,



Susan Studlien, Director
Office of Environmental Stewardship

cc: William Osbahr, EPA OEME
Robert Girard, CT DEP

Enclosure

REQUIREMENTS FOR AIR EMISSIONS TESTING

A. PRETEST INFORMATION REQUIREMENTS

In order to establish uniform requirements and help ensure that proper test methods and procedures are utilized, the information specified below must be submitted to EPA Region 1 in the form of a test protocol. EPA will notify the company of any deficiencies or required changes in the test protocol. Following such notification, the company shall revise and resubmit the test protocol for EPA review and approval.

Except as otherwise provided by EPA, the test protocol shall provide for testing in strict accordance with applicable procedures in 40 C.F.R. Part 60, Appendix A, Standards of Performance for New Stationary Sources, or in 40 C.F.R. Part 61, Appendix B, National Emission Standards for Hazardous Air Pollutants. Any variations in sampling or analytical procedures must be indicated in the test protocol and receive written approval from EPA prior to testing.

The test protocol shall provide the following information, at a minimum:

1. Identification and a brief description of the source to be tested. The description shall include:
 - a. Type of industrial process or combustion facility;
 - b. Type and quantity of raw and finished materials used in the process;
 - c. Description of any cyclical or batch operations which would tend to produce variable emissions with time;
 - d. Basic operating parameters used to regulate the process; and
 - e. Rated capacity of the process.
2. A brief description of the air pollution control equipment associated with the process, including:
 - a. Type of control device;
 - b. Operating parameters;
 - c. Rated capacity and efficiency; and
 - d. Ultimate disposal of wastes.

3. Type of pollutant to be sampled (particulate matter, NO_x, SO₂, hydrocarbons, etc.).
4. A description of the emission sampling equipment, including a schematic diagram of the sampling train.
5. A description of the sampling and analysis procedures. Reference standard methods, if applicable. Indicate any proposed variations and provide justification.
6. A sketch with dimensions indicating the flow of exhaust gases from the process, through the control equipment and associated ductwork to the stack.
7. In accordance with 40 C.F.R. Part 60, Appendix A, Method 1:
 - a. An elevation view of the dimensions of the stack configuration indicating the location of the sampling ports and distances to the nearest upstream and downstream flow interferences; and
 - b. A cross-sectional sketch of the stack at the sampling location with dimensions indicating the location of the sampling traverse points.
8. Estimated flue gas conditions at sampling location, including temperature, moisture content, and velocity pressure.
9. A description of the process and control equipment operating data to be collected during the sampling period.
10. Copies of the field data sheet forms to be used during the tests.
11. Names and titles of personnel who will be performing the tests.
12. A description of the procedures for maintaining the integrity of the samples collected, including chain of custody and quality control procedures.
13. Calibration sheets for the dry gas meter, orifice meter, pilot tube, and/or any other equipment that requires calibration.
14. A list of pre-weighed filters to be used during particulate emission testing, including identification and tare weights.

(Note: Items 13 and 14 must be submitted prior to actual testing, but need not be included with the pretest information.)

B. EMISSION TEST REPORT REQUIREMENTS

The emission test report must contain all pertinent data concerning the tests, including a description of the process and operating conditions under which the tests were made, the results of the tests, and test procedures. While the exact format of the report will vary depending upon the type and objective of the tests, below is a suggested format containing elements that must be incorporated in the report.

1. Introduction:
 - a. Identification, location, and dates of tests;
 - b. Purpose of tests;
 - c. Brief description of source; and
 - d. Name and affiliation of person in charge of tests.
2. Summary of results:
 - a. Operating and emission data; and
 - b. Comparison with applicable emission regulations.
3. Source description:
 - a. Description of process including operation of emission control equipment;
 - b. Flow sheet (if applicable);
 - c. Type and quantity of raw and finished materials processed during the tests;
 - d. Maximum normal rated capacity of the process; and
 - e. Description of process instrumentation monitored during the test.
4. Sampling and analytical procedures:
 - a. Description of sampling train and field procedures;
 - b. Description of recovery and analytical procedures;
 - c. Sketch indicating sampling port locations relative to process, control equipment upstream and downstream flow disturbances; and

- d. Sketch or cross-sectional view of stack indicating traverse point locations.
5. Test results and discussion:
- a. Detailed tabulation of results including process operating conditions and flue gases conditions;
 - b. Discussion of significance of results relative to operating parameters and emission regulations; and
 - c. Discussion of any divergences from normal sampling procedures or operating conditions that could have affected the test results.
6. Calculation and data reduction methods:
- a. Description of computational methods, including the equation format used to obtain final emissions results from field data; and
 - b. Sample calculations from at least one run of each type of test performed.
7. Appendix
- a. Copies of all field data collected during the test, including sampling data sheets and process operating logs;
 - b. Copies of all analytical laboratory data;
 - c. Calculation sheets or computer input and output data;
 - d. Sampling equipment and laboratory calibration data;
 - e. Names and titles of personnel and organizations participating in the tests;
 - f. Visible emission observations performed during the tests (if required); and
 - g. Copies of all chain of custody information.



Office of Enforcement and Compliance Assurance
INFORMATION SHEET

U. S. EPA Small Business Resources

If you own a small business, the United States Environmental Protection Agency (EPA) offers a variety of compliance assistance resources such as workshops, training sessions, hotlines, websites, and guides to assist you in complying with federal and state environmental laws. These resources can help you understand your environmental obligations, improve compliance, and find cost-effective ways to comply through the use of pollution prevention and other innovative technologies.

Compliance Assistance Centers

(www.assistancecenters.net)

In partnership with industry, universities, and other federal and state agencies, EPA has established Compliance Assistance Centers that provide information targeted to industries with many small businesses.

Agriculture

(www.epa.gov/agriculture or 1-888-663-2155)

Automotive Recycling Industry

(www.ecarcenter.org)

Automotive Service and Repair

(www.ccar-greenlink.org or 1-888-GRN-LINK)

Chemical Industry

(www.chemalliance.org)

Construction Industry

(www.cicacenter.org or 1-734-995-4911)

Education

(www.campuserc.org)

Healthcare Industry

(www.hercenter.org or 1-734-995-4911)

Metal Finishing

(www.nmfrc.org or 1-734-995-4911)

Paints and Coatings

(www.paintcenter.org or 1-734-995-4911)

Printed Wiring Board Manufacturing

(www.pwbrc.org or 1-734-995-4911)

Printing

(www.pneac.org or 1-888-USPNEAC)

Transportation Industry

(www.transource.org)

Tribal Governments and Indian Country

(www.epa.gov/tribal/compliance or 202-564-2516)

US Border Environmental Issues

(www.bordercenter.org or 1-734-995-4911)

The Centers also provide State Resource Locators (www.envcap.org/statetools/index.cfm) for a wide range of topics to help you find important environmental compliance information specific to your state.

EPA Websites

EPA has several Internet sites that provide useful compliance assistance information and materials for small businesses. If you don't have access to the Internet at your business, many public libraries provide access to the Internet at minimal or no cost.

EPA's Home Page

www.epa.gov

Small Business Gateway

www.epa.gov/smallbusiness

Compliance Assistance Home Page

www.epa.gov/compliance/assistance

Office of Enforcement and Compliance Assurance

www.epa.gov/compliance

Voluntary Partnership Programs

www.epa.gov/partners



U.S. EPA SMALL BUSINESS RESOURCES

Hotlines, Helplines & Clearinghouses

(www.epa.gov/epahome/hotline.htm)

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. A few examples are listed below:

Clean Air Technology Center

(www.epa.gov/ttn/catc or 1-919-541-0800)

Emergency Planning and Community Right-To-Know Act

(www.epa.gov/superfund/resources/infocenter/epcra.htm or 1-800-424-9346)

EPA's Small Business Ombudsman Hotline provides regulatory and technical assistance information.
(www.epa.gov/sbo or 1-800-368-5888)

The National Environmental Compliance Assistance

Clearinghouse provides quick access to compliance assistance tools, contacts, and planned activities from the U.S. EPA, states, and other compliance assistance providers
(www.epa.gov/clearinghouse)

National Response Center to report oil and hazardous substance spills.

(www.nrc.uscg.mil or 1-800-424-8802)

Pollution Prevention Information Clearinghouse

(www.epa.gov/opptintr/ppic or 1-202-566-0799)

Safe Drinking Water Hotline

(www.epa.gov/safewater/hotline/index.html or 1-800-426-4791)

Stratospheric Ozone Refrigerants Information

(www.epa.gov/ozone or 1-800-296-1996)

Toxics Assistance Information Service also includes asbestos inquiries.

(1-202-554-1404)

Wetlands Helpline

(www.epa.gov/owow/wetlands/wetline.html or 1-800-832-7828)

State Agencies

Many state agencies have established compliance assistance programs that provide on-site and other types of assistance. Contact your local state environmental agency for more information or the following two resources:

EPA's Small Business Ombudsman

(www.epa.gov/sbo or 1-800-368-5888)

Small Business Environmental Homepage

(www.smallbiz-enviroweb.org or 1-724-452-4722)

Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated,

businesses may be eligible for penalty waivers or reductions. EPA has two policies that potentially apply to small businesses:

The Small Business Compliance Policy

(www.epa.gov/compliance/incentives/smallbusiness)

Audit Policy

(www.epa.gov/compliance/incentives/auditing)

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established an SBA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System (NAICS) designation, number of employees, or annual receipts, defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

Your Duty to Comply

If you receive compliance assistance or submit comments to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.